

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

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BOARD MEMBERS

Bill Edgar, President
Emma Suarez, Vice President
Jane Dolan, Secretary
Joe Countryman, Member
Clyde Macdonald, Member
Tim Ramirez, Member
Mike Villines, Member
Assembly member Marc Levine
Ex Officio Member
State Senator Fran Pavley
Ex Officio Member

BOARD STAFF

Leslie Gallagher, Executive Officer
Mitra Emami, Acting Chief Engineer
Lucy Montgomery, Chief of Administration
Kathryn Baines, Board Analyst

BOARD COUNSEL

Kanwarjit Dua, Board Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

September 23, 2016 – 9:00 AM

**Sacramento City Hall Building, 1st Floor Council Chambers
915 I Street, Sacramento, CA 95814**

**To view the webcast portion on this meeting, please join us here:
http://centralvalleyflood.granicus.com/ViewPublisher.php?view_id=2**

NOTE: The Board will consider timed items as close as possible to the listed time, but not before the time specified. Untimed items may be considered in a different order upon determination by the Board President. All items appearing on this agenda may be subject to Board action, whether or not expressly listed as an action item.

Members of the public shall be provided an opportunity to address the Board on any agenda item except closed session items. Comments made during the public comment period should be limited to matters within the Board's jurisdiction. Reasonable time limits may be established for public comments (Government Code Section 11125.7).

Background for agenda items is available on the Board website at www.cvfpb.ca.gov

Anyone may request a printed copy of background or other material on an agenda item that has been distributed to the Members of the Board. A fee covering the cost of the provision of such materials may be charged. If reasonable accommodation due to a disability or language assistance is needed, please contact the Equal Opportunity Management Investigations Office at (916) 653-6952, or TDD (916) 653-6934 at least a week prior to the meeting.

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

September 23, 2016 – 9:00 AM

1. **WELCOME, INTRODUCTIONS, AND ANNOUNCEMENTS**
2. **ROLL CALL/ESTABLISH A QUORUM** (Water Code § 8560)
3. **APPROVAL OF MINUTES** (Action Item)
 - July 22, 2016 Board Meeting Minutes
4. **REVIEW OF AGENDA**
5. **CONSENT ITEMS** (Action Item)

A. Cease and Desist Order issued to Mr. J.W. Sutton (*Jon Tice, Operations Branch, Board Staff*)

Consider the Cease and Desist Order for Enforcement Action No. 2016-5838 issued to Mr. J.W. Sutton. The Cease and Desist Order establishes Mr. Sutton as a responsible party for damage to a State Plan of Flood Control levee that was subsequently repaired by the Department of Water Resources and directs the responsible party to complete any additional corrective actions upon further direction of the Central Valley Flood Protection Board. The levee at issue is located within Sacramento-San Joaquin Drainage District flood protection easements in the Sutter Bypass, approximately 0.6 miles north of the Obanion Road and the Sutter Bypass East Levee crown road intersection. At the meeting, the Board may affirm, amend, modify, stay, or rescind the Cease and Desist Order. (Sutter County)

B. Cease and Desist Order issued to Mr. Glenn Marler (*Jon Tice, Operations Branch, Board Staff*)

Consider the Cease and Desist Order for Enforcement Action No. 2016-5838 issued to Mr. Glenn Marler. The Cease and Desist Order establishes Mr. Marler as a responsible party for damage to a State Plan of Flood Control levee that was subsequently repaired by the Department of Water Resources and directs the responsible party to complete any additional corrective actions upon further direction of the Central Valley Flood Protection Board. The levee at issue is located within Sacramento-San Joaquin Drainage District flood protection easements in the Sutter Bypass, approximately 0.6 miles north of the Obanion Road and the Sutter Bypass East Levee crown road intersection. At the meeting, the Board may affirm, amend, modify, stay, or rescind the Cease and Desist Order. (Sutter County)

C. Permit No. 19094, Union Pacific Railroad (*Ilene Wellman-Barbree, Operations Branch, Board staff*)

Consider approval of Permit No. 19094 to replace an existing bridge spanning the Consumes River west of Highway 99 and north of Dillard Road in unincorporated Sacramento County. (Sacramento County)

D. Permit No. 19095, Union Pacific Railroad (*Ilene Wellman-Barbree, Operations Branch, Board staff*)

Consider approval of Permit No. 19095 to replace an existing bridge spanning the Consumes River located west of Highway 99 and south of Dillard Road in unincorporated Sacramento County. (Sacramento County)

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6. PUBLIC COMMENT (non-agenda items only)

7. U.S. ARMY CORPS OF ENGINEERS ITEMS

- A. Briefing on California Silver Jackets (USACE Sacramento District Staff; Mary Jimenez, Chief Flood Planning Branch, Division of Flood Management, DWR)

Report on U.S. Army Corps of Engineers Silver Jackets Team and cooperative Charter signed by representatives of local, tribal, state and federal agencies at the Floodplain Management Conference.

8. DEPARTMENT OF WATER RESOURCES ITEMS

- A. Monthly Report of the Department of Water Resources (Eric Koch, Acting Chief, Division of Flood Management, DWR)

- B. Reservoir Forecast-Coordinated Operations (F-CO): 10th Anniversary (Boone, Lek, Chief, Reservoir Coordinated Operations Section, DWR)

Briefing on the 10-year anniversary of the Forecast-Coordinated Operations component of the Flood Emergency Response Program.

- C. 2016 Flood Preparedness Week Events (Darren Suen, Flood Planning Office, Department of Water Resources)

Flood Preparedness Week is October 24 – 28, 2016. This briefing will discuss potential public outreach and awareness activities for Department-led events.

- D. Briefing on draft federal 2016 Water Resources Development Act (Darren Suen, Flood Planning Office Resources)

Update on proposed 2016 federal WRDA bill.

- E. 2017 Central Valley Flood Protection Plan (CVFPP) Update (Michael Mierzwa, Chief, Flood Planning Office, Division of Flood Management, DWR)

Briefing and discussion on the State Systemwide Investment Approach (SSIA) Range of Investments over time for the 2017 CVFPP Update.

9. CLOSED SESSION (Done during lunch)

- A. Public Employee Performance Evaluation, pursuant to Govt. Code section 11126(a)(1); Title: Board Counsel. (Board Members)

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- B. To discuss litigation (Central Valley Flood Protection Board v. Lino Catabran, Sacramento Superior Court Case No. 34-2013-142003) pursuant to Govt. Code section 11126(e)(1). (*Kanwarjit Dua, Board Counsel*)
- C. Pursuant to the authority of Government Code section 11126, subdivisions (e)(1), (e)(2)(B)(i), and (e)(2)(C)(i), the Board will meet in Closed Session to consider potential litigation involving the Board. (*Kanwarjit Dua, Board Counsel*)

10. CLOSED SESSION REPORT (Action Item)

11. BOARD ITEMS

- A. 2017 Central Valley Flood Protection Plan Update Review and Adoption Planning Progress (*Ruth Darling, Environmental Services and Land Management Branch, Board Staff*)

Environmental staff will provide information on recent 2017 CVFPP Update and Programmatic Environmental Impact Report coordination, review, integration, public outreach and schedule.

- B. Encroachment Removal Update, Bear Creek, West of I-5, Stockton (*Michael C. Wright, Operations Branch, Board Staff*)

Enforcement staff will provide an update on the encroachment removal activities along the south levee of Bear Creek, west of Interstate 5 in Stockton.

- C. Update on Conservation Strategy Advisory Committee (*Andrea Buckley, Environmental Services and Land Management Branch, Board Staff*)

Environmental staff will provide an update on the status of the final report that will serve as the Board's guidance document for the Conservation Strategy as it considers the 2017 Central Valley Flood Protection Plan Update.

12. EXECUTIVE OFFICER'S REPORT (Documents Submitted for Board Member review)

- A. Update on the Board's Administration
- B. Update on the activities of the Operations Branch
- C. Update on the activities of the Plan Implementation and Compliance Branch
- D. Update on the activities of the Environmental Services and Land Management Branch

13. BOARD COMMENTS AND COMMITTEE UPDATES

14. UPCOMING MEETINGS AND TOPICS FOR THE BOARD

15. ADJOURNMENT